

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
FRANGIE ESPINAL,

Plaintiff,

-against-

BIO TRUST NUTRITION, LLC,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 6/14/2023

23 Civ. 4299 (AT)

**ORDER**

The Court has been advised that all claims asserted herein have been settled in principle. ECF No. 10. Accordingly, the above-entitled action is hereby dismissed and discontinued without costs, and without prejudice to the right to reopen the action within forty-five days of the date of this Order if the settlement is not consummated.

Any application to reopen must be filed within forty-five days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the same forty-five-day period to be so-ordered by the Court. Per Rule IV(C) of the Court's Individual Practices in Civil Cases, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. All conferences are vacated. The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: June 14, 2023  
New York, New York



ANALISA TORRES  
United States District Judge